

SEP 19 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JACOB BARRETT,

Plaintiff - Appellant,

v.

JEAN HILL; et al.,

Defendants - Appellees.

No. 06-35323

D.C. No. CV-05-01109-JPC

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Michael R. Hogan, District Judge, Presiding

Submitted September 11, 2006**

Before: PREGERSON, T.G. NELSON and GRABER, Circuit Judges.

This appeal from the district court's order denying a motion for a preliminary injunction comes to us under Ninth Circuit Rule 3-3.

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Applying the “limited and deferential” standard of review appropriate for preliminary injunction rulings, *Southwest Voter Registration Educ. Project v. Shelley*, 344 F.3d 914, 918 (9th Cir. 2003) (en banc), we cannot say that the district court abused its discretion or based its decision on an erroneous legal standard or clearly erroneous factual findings in denying preliminary injunctive relief, *see Playmakers LLC v. ESPN, Inc.*, 376 F.3d 894, 896-97 (9th Cir. 2004).

The district court’s order denying the motion for a preliminary injunction is

AFFIRMED.